

REMARKS

This Amendment is proper and needed for proper protection of the invention as explained below. As stated above, the Listing of Claims includes the claims as pending (and allowed) following the Examiner's Amendment.

Claim 37 has been amended to correct the spelling of "swivelable" (see canceled claim 3).

Applicant clarifies that in communications with the Examiner resulting in the Examiner's Amendment, no agreement was reached with respect to (then pending) rejected independent claims 6, 10 and 21. In an effort to obtain an early allowance of the case, applicant agreed to cancel rejected claims 6, 10 and 21 and their dependent claims without prejudice to pursue the canceled claims in a related patent application.

Applicant objects to the Examiner's statement of reasons for allowance in paragraph 11. The Examiner's statement of reasons for allowance includes three bulleted paragraphs preceded by: "*Claim 37* is allowable because the prior art fails to show or teach a flashlight having a handle portion, a lightbox and a first member placed between the handle portion and the light box:" (emphasis added). The three bulleted paragraphs do not all apply to claim 37, but instead are intended to pertain only to the claim or claims parenthetically referenced within each bulleted paragraph. Applicant further objects to the stated "generalized" reasons and suggests the following reasons for allowance:

- Claim 13 is allowable because the prior art fails to show or teach a flashlight having the recited combination including a handle portion, a lightbox and a first member connected to the handle portion and the lightbox, wherein the handle portion, the first member and the lightbox form a U-shaped configuration, the lightbox has a battery receiving portion and a light source oriented to emit a light beam in a direction substantially transverse to a longitudinal axis of the battery receiving portion, and at least one of the lightbox and handle portion are movable relative to the first member.

- Claim 25 is allowable because the prior art fails to show or teach a flashlight having the recited combination including a handle member, a lightbox and a first member connected to the handle member and the lightbox, wherein the handle member is spatially separated from the lightbox and a handle member longitudinal axis and a lightbox longitudinal axis are substantially parallel, the lightbox has a battery receiving portion with a longitudinal axis, and a light source of the lightbox is directionally adjustable through 90 degrees of rotation in a horizontal plane when the handle member is stationary and the handle member longitudinal axis is in a substantially vertical orientation.

- Claim 28 is allowable because the prior art fails to show or teach a flashlight having the recited combination including a light-emitting portion connected to a handle portion via a first member, wherein a handle portion longitudinal centerline and a first member longitudinal centerline define a first plane in which a directional light beam of the light-emitting portion is substantially parallel with the first plane and the first member longitudinal axis in a first position, and the directional light beam of the light-emitting portion is substantially transverse to the first plane and the first member longitudinal axis in a second position.

- Claim 33 is allowable because the prior art fails to show or teach a flashlight having the recited combination including a lightbox interconnected to a handle portion, the lightbox having a battery receiving portion and a light-emitting portion, wherein a handle portion longitudinal centerline and a battery receiving portion longitudinal axis define a first plane in which a directional light beam of the light-emitting portion is substantially parallel with the first plane, and the directional light beam of the light-emitting portion is substantially transverse to the first plane in a second position.

- Claim 37 is allowable because the prior art fails to show or teach a flashlight having the recited combination including a handle portion, a lightbox and a first member connected to the handle member and the lightbox, wherein a light source of the lightbox swivels normal to a first member longitudinal axis, and a handle portion longitudinal axis and a lightbox longitudinal axis

are substantially parallel and extend downward in a vertical direction when the first member longitudinal axis is substantially horizontal.

Conclusion

Applicant respectfully submits that the Amendment is proper and is needed for proper protection of the invention and requires no substantial amount of additional work on the part of the Patent Office.

Applicant respectfully requests the Examiner to enter this Amendment. If the Examiner has any questions or wishes to discuss the claims or comments, applicant encourages the Examiner to call the undersigned at the telephone number indicated below.

Respectfully submitted,



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